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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	2:14-cr-236-KJD-VCF
)	
Plaintiff,)	
)	Government's Untimely Motion to
)	Extend Time to Respond
V.)	to Defendant's 2255 Motion
)	(first request)
)	
JUAN VICTOR BARRERAS-ADRIANO,)	
)	
Defendant.)	
_____)	

CERTIFICATION: This motion is not timely, as explained below.

THE UNITED STATES, by and through undersigned counsel, respectfully requests that this Court extend the time by which the government must file its response to Defendant's 2255 motion by 30 days from today's date, to and including April 17, 2017. In support of this motion, undersigned counsel states the following:

1. On January 20, 2017, Defendant filed a motion to vacate, set aside, or correct criminal a convictions and sentence pursuant to 28 U.S.C. § 2255. ECF No. 44.

Undersigned counsel received notice that the motion had been filed but, through simple inadvertence, did not see this Court's January 24, 2017, Order (ECF No. 45) directing the government to file a response to the motion on or before February 24, 2017. Undersigned counsel did not become aware of that Order until this afternoon, when she was conducting her regular review of all pending 2255 motions.

Undersigned counsel sincerely apologizes to the Court and the Defendant for her oversight.

2. After reviewing Defendant's motion, undersigned counsel concluded that, in order to respond to the claims in the motion (and in order to determine whether information from Defendant's defense attorney will be necessary to respond to those claims), it will be necessary to review the transcript of Defendant's change-of-plea hearing. She has ordered that transcript on an expedited basis.

3. In light of counsel's oversight and the need for the change-of-plea transcript, the government respectfully requests an extension of 30 days from today, to and including April 17, 2017, to file the government's response to Defendant's motion.

4. Undersigned counsel has not spoken with *pro se* Defendant to obtain his view on her request for additional time to respond to his motion.

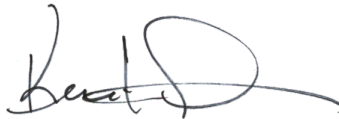
1 WHEREFORE, the United States respectfully requests that it be granted a
2 April 17, 2017
3 21-day extension of time, to and including ~~June 28, 2016~~, to file its response to
4 Defendant's 2255 motion.
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6 Dated this 17th day of March, 2017.
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8 STEVEN W. MYHRE
9 Acting United States Attorney
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11 *s/ Elizabeth Olson White*
12 ELIZABETH OLSON WHITE
13 Appellate Chief and
14 Assistant United States Attorney
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16 IT IS SO ORDERED:
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20 UNITED STATES DISTRICT JUDGE
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22 DATED: March 31, 2017
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